

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Omar M. Ford,
502 Wild Flower Court
Dillon, South Carolina 29536.

File Number 2004-122865

**Default Order Revoking All Of
Resident Producer's Licensing
Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2003), by the State of South Carolina Department of Insurance upon Omar M. Ford, by both certified mail, return receipt requested, and by regular mail on or about September 20, 2004.

That letter informed Mr. Ford of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance producer within the State of South Carolina. Despite that warning, Omar Ford has failed to respond to the Department's letter. On November 1, 2004, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance producer within the State of South Carolina, Omar M. Ford failed to pay his Court ordered child support.

S.C. Code Ann. Sections 20-7-940 et seq., and §38-43-130(C)(13) specifically indicate...."The Commissioner can summarily revoke a producer's license after ten day's notice...when a producer...has violated this title or any regulation promulgated by the department, or has failed to comply with an administrative or court order imposing a child support obligation."

In accordance with my findings of fact, and considering Mr. Ford's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Omar M. Ford violated S.C. Code Ann. § 38-43-130 & 20-7-940 (Supp. 2003) and that his resident insurance producer's license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, et seq. (1991 and Supp. 2003). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of

any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3) (2003), of the Commissioner of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is, therefore, ordered that the license of Omar M. Ford to do business as a resident insurance producer within the State of South Carolina be, and is hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Omar Ford is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer within the State of South Carolina.

This order becomes effective as of the date of my signature below.



Gwendolyn Fuller McGriff
Deputy Director

01 November 2004, at
Columbia, South Carolina

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Affidavit of Default

Personally appeared before me John B. O'Neal, III who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

The Department served notice on the above-named respondent, at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2003), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That Notice further informed respondent of his opportunity, within thirty days, to request in writing a public hearing, by notifying the Administrative Law Court and payment of the corresponding filing fee.

The United States Postal Service effected service of the Notice by certified mail, return receipt requested, and by regular mail, on or about September 21, 2004. However, Mr. Ford failed to respond to our letter, nor he made a written request for a Public Hearing, and the time in which to do so has expired. Omar M. Ford is now in default.


John B. O'Neal, III
Associate General Counsel

Sworn to and subscribed before me
This 1st day of November, 2004



Steven R. DuBois
Notary Public for the State of South Carolina
My Commission Expires May 10, 2009

South Carolina Department of Insurance
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